

109TH CONGRESS  
1ST SESSION

# S. 898

To amend the Public Health Service Act to authorize a demonstration grant program to provide patient navigator services to reduce barriers and improve health care outcomes, and for other purposes.

---

## IN THE SENATE OF THE UNITED STATES

APRIL 25, 2005

Mrs. HUTCHISON (for herself, Mr. BINGAMAN, Mr. BROWNBACK, Mr. KENNEDY, and Mr. COCHRAN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

---

## A BILL

To amend the Public Health Service Act to authorize a demonstration grant program to provide patient navigator services to reduce barriers and improve health care outcomes, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Patient Navigator Out-  
5       reach and Chronic Disease Prevention Act of 2005”.

1 **SEC. 2. PATIENT NAVIGATOR GRANTS.**

2 Subpart V of part D of title III of the Public Health  
3 Service Act (42 U.S.C. 256) is amended by adding at the  
4 end the following:

5 **“SEC. 340A. PATIENT NAVIGATOR GRANTS.**

6 “(a) GRANTS.—The Secretary, acting through the  
7 Administrator of the Health Resources and Services Ad-  
8 ministration, may make grants to eligible entities for the  
9 development and operation of demonstration programs to  
10 provide patient navigator services to improve health care  
11 outcomes. The Secretary shall coordinate with, and ensure  
12 the participation of, the Indian Health Service, the Na-  
13 tional Cancer Institute, the Office of Rural Health Policy,  
14 and such other offices and agencies as deemed appropriate  
15 by the Secretary, regarding the design and evaluation of  
16 the demonstration programs.

17 “(b) USE OF FUNDS.—The Secretary shall require  
18 each recipient of a grant under this section to use the  
19 grant to recruit, assign, train, and employ patient naviga-  
20 tors who have direct knowledge of the communities they  
21 serve to facilitate the care of individuals, including by per-  
22 forming each of the following duties:

23 “(1) Acting as contacts, including by assisting  
24 in the coordination of health care services and pro-  
25 vider referrals, for individuals who are seeking pre-  
26 vention or early detection services for, or who fol-

1       lowing a screening or early detection service are  
2       found to have a symptom, abnormal finding, or diag-  
3       nosis of, cancer or other chronic disease.

4               “(2) Facilitating the involvement of community  
5       organizations in assisting individuals who are at risk  
6       for or who have cancer or other chronic diseases to  
7       receive better access to high-quality health care serv-  
8       ices (such as by creating partnerships with patient  
9       advocacy groups, charities, health care centers, com-  
10      munity hospice centers, other health care providers,  
11      or other organizations in the targeted community).

12              “(3) Notifying individuals of clinical trials and,  
13      on request, facilitating enrollment of eligible individ-  
14      uals in these trials.

15              “(4) Anticipating, identifying, and helping pa-  
16      tients to overcome barriers within the health care  
17      system to ensure prompt diagnostic and treatment  
18      resolution of an abnormal finding of cancer or other  
19      chronic disease.

20              “(5) Coordinating with the relevant health in-  
21      surance ombudsman programs to provide informa-  
22      tion to individuals who are at risk for or who have  
23      cancer or other chronic diseases about health cov-  
24      erage, including private insurance, health care sav-  
25      ings accounts, and other publicly funded programs

(such as Medicare, Medicaid, health programs operated by the Department of Veterans Affairs or the Department of Defense, the State children's health insurance program, and any private or governmental prescription assistance programs).

“(6) Conducting ongoing outreach to health disparity populations, including the uninsured, rural populations, and other medically underserved populations, in addition to assisting other individuals who are at risk for or who have cancer or other chronic diseases to seek preventative care.

“(c) PROHIBITIONS.—

“(1) REFERRAL FEES.—The Secretary shall require each recipient of a grant under this section to prohibit any patient navigator providing services under the grant from accepting any referral fee, kickback, or other thing of value in return for referring an individual to a particular health care provider.

“(2) LEGAL FEES AND COSTS.—The Secretary shall prohibit the use of any grant funds received under this section to pay any fees or costs resulting from any litigation, arbitration, mediation, or other proceeding to resolve a legal dispute.

“(d) GRANT PERIOD.—

1           “(1) IN GENERAL.—Subject to paragraphs (2)  
2           and (3), the Secretary may award grants under this  
3           section for periods of not more than 3 years.

4           “(2) EXTENSIONS.—Subject to paragraph (3),  
5           the Secretary may extend the period of a grant  
6           under this section. Each such extension shall be for  
7           a period of not more than 1 year.

8           “(3) LIMITATIONS ON GRANT PERIOD.—In car-  
9           rying out this section, the Secretary—

10                   “(A) shall ensure that the total period of  
11                   a grant does not exceed 4 years; and

12                   “(B) may not authorize any grant period  
13                   ending after September 30, 2010.

14           “(e) APPLICATION.—

15           “(1) IN GENERAL.—To seek a grant under this  
16           section, an eligible entity shall submit an application  
17           to the Secretary in such form, in such manner, and  
18           containing such information as the Secretary may  
19           require.

20           “(2) CONTENTS.—At a minimum, the Secretary  
21           shall require each such application to outline how  
22           the eligible entity will establish baseline measures  
23           and benchmarks that meet the Secretary’s require-  
24           ments to evaluate program outcomes.

1       “(f) UNIFORM BASELINE MEASURES.—The Sec-  
2 retary shall establish uniform baseline measures in order  
3 to properly evaluate the impact of the demonstration  
4 projects under this section.

5       “(g) PREFERENCE.—In making grants under this  
6 section, the Secretary shall give preference to eligible enti-  
7 ties that demonstrate in their applications plans to utilize  
8 patient navigator services to overcome significant barriers  
9 in order to improve health care outcomes in their respec-  
10 tive communities.

11       “(h) DUPLICATION OF SERVICES.—An eligible entity  
12 that is receiving Federal funds for activities described in  
13 subsection (b) on the date on which the entity submits  
14 an application under subsection (e), may not receive a  
15 grant under this section unless the entity can demonstrate  
16 that amounts received under the grant will be utilized to  
17 expand services or provide new services to individuals who  
18 would not otherwise be served.

19       “(i) COORDINATION WITH OTHER PROGRAMS.—The  
20 Secretary shall ensure coordination of the demonstration  
21 grant program under this section with existing authorized  
22 programs in order to facilitate access to high-quality  
23 health care services.

24       “(j) STUDY; REPORTS.—

1           “(1) FINAL REPORT BY SECRETARY.—Not later  
2           than 6 months after the completion of the dem-  
3           onstration grant program under this section, the  
4           Secretary shall conduct a study of the results of the  
5           program and submit to the Congress a report on  
6           such results that includes the following:

7                   “(A) An evaluation of the program out-  
8                   comes, including—

9                           “(i) quantitative analysis of baseline  
10                           and benchmark measures; and

11                           “(ii) aggregate information about the  
12                           patients served and program activities.

13                   “(B) Recommendations on whether patient  
14                   navigator programs could be used to improve  
15                   patient outcomes in other public health areas.

16           “(2) REPORTS BY SECRETARY.—The Secretary  
17           may provide interim reports to the Congress on the  
18           demonstration grant program under this section at  
19           such intervals as the Secretary determines to be ap-  
20           propriate.

21           “(3) INTERIM REPORTS BY GRANTEES.—The  
22           Secretary may require grant recipients under this  
23           section to submit interim and final reports on grant  
24           program outcomes.

1       “(k) RULE OF CONSTRUCTION.—This section shall  
 2 not be construed to authorize funding for the delivery of  
 3 health care services (other than the patient navigator du-  
 4 ties listed in subsection (b)).

5       “(l) DEFINITIONS.—In this section:

6               “(1) The term ‘eligible entity’ means a public  
 7 or nonprofit private health center (including a Fed-  
 8 erally qualified health center (as that term is defined  
 9 in section 1861(aa)(4) of the Social Security Act)),  
 10 a health facility operated by or pursuant to a con-  
 11 tract with the Indian Health Service, a hospital, a  
 12 cancer center, a rural health clinic, an academic  
 13 health center, or a nonprofit entity that enters into  
 14 a partnership or coordinates referrals with such a  
 15 center, clinic, facility, or hospital to provide patient  
 16 navigator services.

17              “(2) The term ‘health disparity population’  
 18 means a population that, as determined by the Sec-  
 19 retary, has a significant disparity in the overall rate  
 20 of disease incidence, prevalence, morbidity, mor-  
 21 tality, or survival rates as compared to the health  
 22 status of the general population.

23              “(3) The term ‘patient navigator’ means an in-  
 24 dividual who has completed a training program ap-



1       proved by the Secretary to perform the duties listed  
2       in subsection (b).

3       “(m) AUTHORIZATION OF APPROPRIATIONS.—

4               “(1) IN GENERAL.—To carry out this section,  
5       there are authorized to be appropriated \$2,000,000  
6       for fiscal year 2006, \$5,000,000 for fiscal year  
7       2007, \$8,000,000 for fiscal year 2008, \$6,500,000  
8       for fiscal year 2009, and \$3,500,000 for fiscal year  
9       2010.

10              “(2) AVAILABILITY.—The amounts appro-  
11       priated pursuant to paragraph (1) shall remain  
12       available for obligation through the end of fiscal year  
13       2010.”.

○